

1 THE HONORABLE THOMAS S. ZILLY  
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7 UNITED STATES DISTRICT COURT  
8 FOR THE WESTERN DISTRICT OF WASHINGTON  
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10 BUNGIE, INC., a Delaware corporation,  
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12 Plaintiff  
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14 v.  
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16 AIMJUNKIES.COM, a business of unknown  
17 classification; PHOENIX DIGITAL GROUP  
18 LLC, an Arizona limited liability company;  
19 JEFFREY CONWAY, an individual; DAVID  
20 SCHAEFER, an individual; JORDAN GREEN,  
21 an individual; and JAMES MAY, an individual,  
22 Defendants.  
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25 Cause No. 2:21-cv-0811 TSZ  
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28 **DECLARATION OF PHILIP P.  
MANN IN OPPOSITION TO  
PLAINTIFF'S MOTION FOR  
DISCOVERY SANCTIONS  
AND TO COMPEL  
DISCOVERY**

**Note on Motion Calendar:  
April 14, 2023**

**Oral Argument Requested**

I, Philip P. Mann, under penalty of perjury under the laws of the United States, state  
and declare as follows:

1. I am counsel for all Defendants in the above captioned matter.
2. Attached as Group Exhibit A are true and correct copies of the at least eighteen  
responses Defendants have served in response to Bungie's various discovery  
requests in this matter. In no instance have Defendants refused to provide  
documents that exist and/or over which they exercise custody and control.
3. Attached as Exhibit B is a true and correct copy of the Expert Report submitted  
by Bungie's damages expert, Mr. Drew Voth, in this matter. (Please note that

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1                   Bungie by prior agreement has waived “confidentiality” as to this report.)  
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Dated April 10, 2023.

4                   /s/ Philip P. Mann  
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Philip P. Mann